

News Release



Controller of the State of California - Kathleen Connell

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FOR IMMEDIATE RELEASE

STATE CONTROLLER APPOINTS "NEW CLASS" OF PROBATE REFEREES

Connell Says New Appointees Chosen for "Competence, Not Connections"

SACRAMENTO, Sept. 11 -- Breaking a long-standing tradition of political cronyism, State Controller Kathleen Connell today announced appointments of 29 probate referees, the most rigorously-tested in the state's history. Chosen from a field of 189 applicants, the 16 new appointees and 13 re-appointees, for the first time ever, had to: meet minimum qualifications *prior* to even being considered; pass a redesigned and tougher qualification exam; and be interviewed and judged by an objective panel of probate experts.

"Private sector corporations go to great lengths to recruit professionals of the caliber I have appointed," said Connell. "With these appointments, I am keeping my promise to reform the system so competence, not connections, is what counts."

As an example, Connell cited new appointee Dr. Lawrence Sherman: Sherman holds a Ph.D. in Finance and Economics, a Juris Doctor from Orange County School of Law, a B.S. in Business from Eastern Illinois University, has over 20 years of experience in financial and economic consulting and has been published in over 45 academic, national and leading real estate journals. "These probate referees are the best people for the job, and they proved it -- to me, and to a panel of non-partisan probate experts," said Connell.

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Last December, in a report Connell issued on the probate referee system titled "A Time for Change," she called for an end to the current system and set forth interim reforms until legislation could be passed. AB 2682 (Kaloogian-Isenberg), proposed and sponsored by Connell, would have abolished the current probate system and replaced it with one using court-supervised independent appraisers. The bill, passed by the Assembly, was killed in the Senate.

Commenting on the failure of the bill, Connell said she still believes that California should get out of the probate referee business. However, if legislative action is not forthcoming, the Controller believes the reforms she has implemented have professionalized the system and added significant credibility to this government operation.

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(Attached chart indicates specific reforms initiated by Controller Connell.)

Probate Referee System Reform

	Prior to Controller Connell Taking Office	As of July 1995	As of December 1995 - Current
<i>Qualifications of Probate Referees</i>	No academic or professional qualifications.	No academic or professional qualifications	Threshold academic and/or professional experience required.
<i>Examination</i>	No examination for re-appointment, pass point of 63% or less.	Examination required of candidates for re-appointment. Pass point increased to 75% for re-appointment.	Pass point increased to 75% for both new and prior appointees.
<i>Screening</i>	Personal screening interviews not mandatory.	Personal screening interviews for re-appointment.	Personal screening interviews for both new and prior appointments.
<i>Conflicts of Interest</i>	No limits on probate referees receiving or soliciting campaign contributions from those involved with the probate process.	Re-appointees must agree not to receive or solicit campaign contributions from those involved with the probate process.	All probate referees must agree not to receive or solicit campaign contributions from those involved with the probate process.
<i>Continuing Education Credits</i>	15 hours per year of CE required. No criteria for course to qualify for credit. No allocation by subject matter.	20 hours per year of CE required. No criteria for course to qualify for credit. No allocation by subject matter.	20 hours per year of CE required. Course must meet certain criteria to qualify.
<i>Personal Involvement</i>	Personal involvement in appraisals required. Lax enforcement.	Personal involvement in appraisals required. Probate referees put on notice.	Personal involvement in appraisals must be documented.
<i>Residency</i>	Must be voters in county of appointment unless exception approved by Controller.	Probate referees put on notice of residency requirement.	Must be resident of and maintain a regular place of business in county of appointment unless exception approved by Controller.
<i>Appraisals</i>	No appraisal standards or enforcement of time to file appraisals.	Establish appraisal standards.	Establish appraisal standards. Reasons for failure to file appraisals on time must be documented and explained.
<i>Reporting Responsibilities</i>	Lax enforcement of requirement to file reports with Controller.	Referees put on notice to file timely reports with Controller.	Failure to file timely reports with Controller may result in suspension or revocation probate referee.